

Interview Pursuant to 37 C. F. R. §1.133

Applicants thank the Examiner for an interview of October 21, 2003. The prior art of record, U. S. Patent Nos. 4,880,842 (Kowalski *et al.*); 4,940,578 (Yoshihara *et al.*); and U. S. Patent No. 6,040,409 (Lau *et al.*), was discussed with Examiner. Differences between the pending claims and the prior art of record were discussed with the Examiner. Agreement was reached with Examiner to amend claims to further clarify the scope of Applicants invention. Support for amendments to claim 1, 2, 11, 13, 18 and 20 was discussed with Examiner.

Support for Amendments

Support for the amendments to claim 1 of a terpolymer composition is found at page 4, lines 6-12; support for the glass transition temperature range is found at page 14, Table I; and support for polymer blends is found at page 14, Table I. Support for the C₁₂-C₂₀ alkyl (meth)acrylate limitation in claim 2 is found at page 4, lines 13-17. Method claims 11 and 18 were amended to include the same limitations in claim 1. Respective dependent method claims 13 and 20 were amended to include the same limitation as in dependent claim 2. Claim 3, 8, 9, 15, 20 and 23 were amended to correct their dependency from cancelled claims or to further clarify the scope of the claim.

Response to 35 U.S.C. § 112(2nd) ¶ Rejection of Claims 10

The Examiner has rejected Claim 10 under 35 U.S.C. 112(2nd) ¶ as being indefinite. Applicants have cancelled claim 10, obviating the rejection under 35 U.S.C. 112(2nd) ¶.

Response to 35 U.S.C. § 102(b) Rejection of Claims 1-5

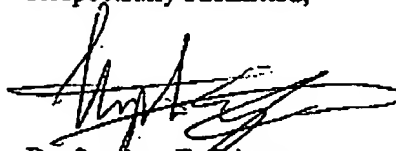
Claims 1-5 have been rejected by the Examiner under 35 U.S.C. 102(b) as being anticipated by Kowalski, *et al.* (U. S. Pat. No. 4,880,842). Examiner asserts that Kowalski, *et al.* discloses Applicants composition, citing Example II (Col. 8). Examiner concedes that Kowalski does not specifically teach the oil absorbing capacity of its compositions. Applicants traverse the rejection and submit that amendments to claims 1 and 2 obviate the Examiner's rejection. Applicants respectfully submit that all of the limitations of a claim must be considered in establishing a *prima facie* case of obviousness under 35 U. S. C. §103(a). Kowalski *et al.* neither discloses teaches or suggests all limitations of Applicants invention, namely Applicants terpolymer, its acid content and the oil absorbing properties of the compositions. Applicants submits the invention as presented in amended claims 1 and 2 is novel in view of Kowalski *et al.* of record.

Response to 35 U.S.C. § 103(a) Rejection of Claims 1-24

Claims 1-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshihara, *et al.* (U. S. Pat. No. 4,940,578) in view of U. S. Patent Nos. 6,040,409 (Lau *et al.*). Applicants traverse the rejection and submit that independent claims 1, 11 and 18 obviate the Examiner's rejection. Examiner concedes that Yoshihara differs from the instant claims in the teaching of the percentages of ionic monomers, hydrophobic monomers and only teaches a copolymer. Examiner also notes the Tg of Yoshihara polymers (Tg of > 100° C) are different from Applicants polymers. Examiner further concedes that Lau do not teach that polymer compositions disclosed are oil absorbing. Polymers of Lau are used as wax substitutes in floor polishes. Applicants respectfully submit that all of the limitations of a claim must be considered in establishing a *prima facie* case of obviousness under 35 U. S. C. §103(a). Moreover, Applicants respectfully argue there is no motivation to combine the references. Applicants submits the invention as presented in amended claims is patentable over Yoshihara *et al.* and Lau *et al.* of record.

If the Examiner finds that there are some remaining issues to be resolved, Applicants would appreciate the Examiner to grant them a discussion or another interview pursuant to 37 C. F. R. §1.133, to clarify any remaining issues and to place the Application in better condition for allowance. Please charge any fees associated with this response to Deposit Account No. 18-1850. Applicants invite the Examiner to contact the undersigned to discuss any issues related to this application by telephone.

Respectfully submitted,



Dr. Stephen E. Johnson
Attorney/Agent for Applicants
Reg. No. 45,916
Telephone: (215) 619-5478
Facsimile: (215) 619-1642

Rohm and Haas Company
100 Independence Mall West
Philadelphia, PA 19106-2399
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